

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JACQUELINE J. DAVENPORT	:	CHAPTER 13
	:	
	:	
Debtor(s)	:	No. 18-11279 mdc

MOTION TO DETERMINE VALUE

TO: THE HONORABLE MAGDELINE D COLEMAN
UNITED STATES BANKRUPTCY JUDGE

Debtor, Jacqueline J. Davenport, seeks a determination of Mercedes-Benz Financial Services, USA LLC's (hereinafter, "Creditor") claim No. 5 under section 506 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 3012, and respectfully represents:

1. Movant seeks a determination of Creditor's secured claim for a 2010 Mercedes-Benz S600 (hereinafter, "Vehicle").
2. Creditor filed proof of claim No. 5 seeking a secured claim of \$31,410.36. A copy of the proof of claim is attached hereto as Exhibit "A".
3. The vehicle has approximately 96,000 miles and is over 8 years old.
4. Debtor contends that based on the age and condition of the vehicle, supported by Creditor's own auto repair analysis/recommendations report (attached hereto as Exhibit "B"), a kbb.com valuation (attached hereto as Exhibit "C") and a KBB.com condition report (attached hereto as Exhibit "D"), said Vehicle's present value is not greater than \$17,000.00.

Wherefore, Debtor requests this Honorable Court disallow the Proof of Claim No. 5 as filed by Mercedes-Benz Financial Services, USA, LLC, and enter an Order consistent with the Debtor's proposed order.

October 2, 2018

Respectfully Submitted,

By: /s/ Michele Perez Capilato
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